

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
LIEUTENANT RICHARD GUERRERO,) No. 06 PB 2585
STAR No. 428, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT) (CR No. 304965)

FINDINGS AND DECISION

On January 20, 2006 the Superintendent of Police filed charges with the Police Board of the City of Chicago against Lieutenant Richard Guerrero, Star No. 428 (hereinafter sometimes referred to as "Respondent"), for violating the following rules:

Rule 1: Violation of any law or ordinance.

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

The Police Board of the City of Chicago caused a hearing on these charges against Lieutenant Richard Guerrero, Star No. 428, to be had before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on May 22, 2006, and May 26, 2006.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the hearing and viewed the video-recording of the hearing. Thomas E. Johnson, Hearing Officer, made an oral report to and conferred with the Police Board before it rendered a decision.

The Police Board of the City of Chicago, as a result of its hearing of the charges, finds and determines that:

1. The Respondent was at all times mentioned herein employed as a lieutenant of police by the Department of Police of the City of Chicago.

2. The charges were filed in writing and a Notice, stating the time, date and place, when and where a hearing of the charges was to be held, together with a copy of the original charges, was served upon the Respondent more than five (5) days prior to the hearing on the charges.

3. The hearing was conducted before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on May 22, 2006, and May 26, 2006.

4. Throughout the hearing, the Respondent was present and represented by counsel of his choice.

5. The Respondent, Lieutenant Richard Guerrero, Star No. 428, charged herein, is **guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance.

On or about April 19, 2005, Lieutenant Richard Guerrero committed the offense of Harassment by Telephone, 720 ILCS 135/1-1, in that he placed approximately ten unsolicited telephone calls to Marylu Chavez.

6. The Respondent, Lieutenant Richard Guerrero, Star No. 428, charged herein, is **guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Count I: On or about April 19, 2005, Lieutenant Richard Guerrero, while both on and off duty, placed

approximately ten unsolicited telephone calls to Marylu Chavez.

Count II: On or about April 19, 2005, Lieutenant Richard Guerrero, while on duty, obtained the telephone number of Marylu Chavez from a report made at the 13th District police station.

Count III: On or about November 4, 2005, Lieutenant Richard Guerrero was found guilty in the Circuit Court of Cook County of the offense of Harassment by Telephone, 720 ILCS 135/1-1.

By reason of the findings of fact that the Respondent is guilty of violating Rules 1 and 2, cause exists for the suspension of the Respondent from his position as a lieutenant of police with the Department of Police, and from the services of the City of Chicago, for a period from January 26, 2006 to and including January 25, 2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T.E. Johnson', is written over a horizontal line.

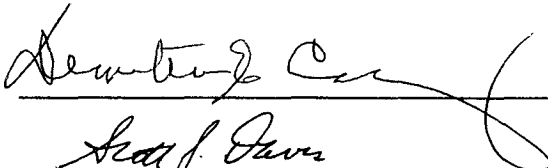
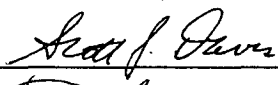
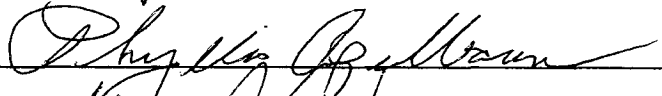
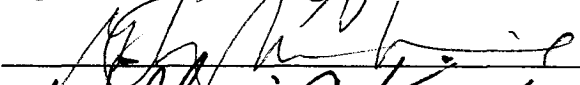
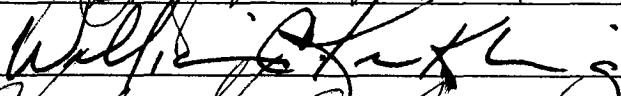
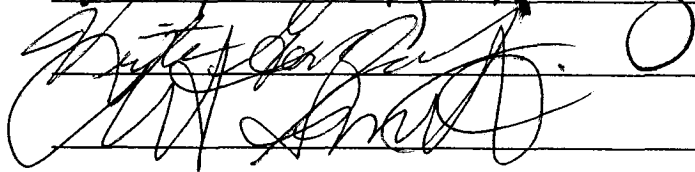
THOMAS E. JOHNSON
Hearing Officer

D E C I S I O N

The Police Board of the City of Chicago, having read and reviewed the certified transcription of the hearing, having viewed the video-recording of the hearing, having received the oral report of the Hearing Officer, Thomas E. Johnson, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts all findings herein; and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the Respondent's complimentary and disciplinary histories, copies of which are attached hereto as Exhibit A; and

IT IS HEREBY ORDERED that the Respondent, Lieutenant Richard Guerrero, Star No. 428, as a result of having been found **guilty** of charges in Police Board Case No. 06 PB 2585, be and hereby is **suspended** from his position as a lieutenant of police, and from the services of the City of Chicago, for a period from 26 January 2006 to and including 25 January 2007.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
20th DAY OF JULY 2006.

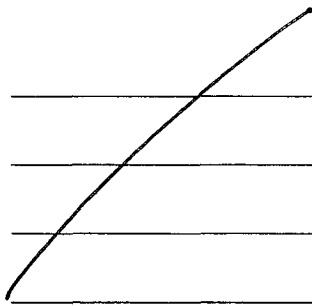


Executive Director
Police Board

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Lieutenant Richard Guerrero
Case No. 06 PB 2585

D I S S E N T

The following members of the Police Board hereby dissent from
the decision of the majority of the Board.



RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

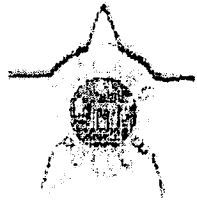
THER _____ DAY OF _____ 2006.

SUPERINTENDENT OF POLICE

Report Date: 30 Jun 2005
Report Time: 1000 Hrs

Chicago Police Department

Personnel Division



Information Services Division
Data Warehouse
Produced by: PC0X977

Complimentary Hist

Name	Title	Star	Unit	Detail Unit	Emp Number
GUERRERO, RICHARD J	9173		013	163	24342

Achievements

Total No.

UNIT MERITORIOUS PERFORMANCE AWARD
EMBLEM OF RECOGNITION - APPEARANCE
EMBLEM OF RECOGNITION - PHYSICAL FITNESS
DEPARTMENT COMMENDATION
HONORABLE MENTION
COMPLIMENTARY LETTER

1
1
2
3
39
35

Ex. A

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NOTE: THIS REPORT IS FOR OFFICIAL LAW ENFORCEMENT / AUTHORIZED USE ONLY.
THE INFORMATION IS CURRENT AS OF THE DATE AND TIME OF THE REPORT.
THIS REPORT IS NOT FOR PUBLIC DISSEMINATION.

CR# 304965



Citizen & Law Enforcement Analysis & Reporting System

**INTERNAL AFFAIRS DIVISION
RECORDS SECTION**

05 JULY 2005

TO: COMMANDING OFFICER UNIT 121 SIS
FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION
SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

GUERRERO RICHARD	CIV	163
NAME (LAST, FIRST M.I.)	STAR	UNIT
M	HIS	
SEX	RACE	S.S.N.

REFERENCE: COMPLAINT REGISTER NUMBER 304 965

**THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT
ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:**

SGT.	SCHMIT M	1861	121SIS
RANK	NAME	STAR	S.S.N.
			UNIT

**RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE
ABOVE REFERENCED COMPLAINT REGISTER NUMBER.**

**THE RECORDS SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE
FOLLOWING DISCIPLINARY ACTION ADMINISTERED TO THE SUBJECT
ACCUSED FOR THE PAST FIVE (5) YEARS.**

VERIFIED/PREPARED BY:

PATRICIA JOHNSON

SEE ATTACHED

**FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION**

Ex. A

JOINT 1

C.R. # 304965
ATTACHMENT # 33
PAGE # 1 OF 2

CHICAGO POLICE DEPARTMENT
Sustained Complaints History Report

05-JUL-2005 12:06:01 PM

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
██████████	GUERRERO RICHARD J.		24342	9173	LIEUTENANT OF POLICE	163

<u>Sex</u>	<u>Race</u>	<u>Birth Date</u>	<u>Appointed Date</u>	<u>No. Of CR's</u>	<u>No. Of SPAR's</u>
M	SPANISH (DO NOT USE)	28-JUL-1957	14-JUN-1982	2	0

<u>Case #</u>	<u>Incident Date</u>	<u>Suspension Dates</u>	<u>Disciplinary Action Taken</u>	<u>Final Category</u>	<u>Less Serious Transgression</u>
C 287817	22-FEB-2003	17-SEP-2004	██████████ SUSPENSION	05K-DOMESTIC ALTERCATION/INCIDENT - OFF DUTY	
<u>Civil Suit #</u>		23-SEP-2004	<u>Police Board #</u> 2 Day Suspension		
<u>Comments</u>					

<u>Case #</u>	<u>Incident Date</u>	<u>Suspension Dates</u>	<u>Disciplinary Action Taken</u>	<u>Final Category</u>	<u>Less Serious Transgression</u>
C 285035	16-OCT-2002		REPRIMAND	05K-DOMESTIC ALTERCATION/INCIDENT - OFF	
<u>Civil Suit #</u>			<u>Police Board #</u>		
<u>Comments</u>					

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EX. A.